



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

P.O. Box 47600 • Olympia, WA 98504-7600 • 360-407-6000

TTY 711 (for persons with hearing loss) or 877-833-6341 (for persons with a speech disability)

DETERMINATION OF NONSIGNIFICANCE

Description of proposal: The Department of Ecology is proposing new rules in Chapter 173-351 WAC Criteria for Municipal Solid Waste Landfills. Chapter 173-351 WAC applies to publicly or privately owned Municipal Solid Waste Landfill (MSWLF) units that may be a new MSWLF unit, an existing MSWLF unit, or a lateral expansion. The purpose of this regulation is to establish minimum statewide standards for all municipal solid waste landfill (MSWLF) units under the authority of chapter 70.95 RCW.

The new rules will: adopt new federal regulations and allow for issuance of Research, Development and Demonstration (RD&D) permits; eliminate equivalent and arid liner designs and extend greater flexibility for alternate liner designs consistent with federal regulations; eliminate arid closure cover design criteria, adopt new post-closure care period standards, which are based on potential risk to human and environmental receptors; add alternative borehole program approval requirements to ensure quality characterization of the geology and hydrogeology of a site; add requirements to file an environmental covenant at closure in accordance with Chapter 64.70 RCW, Uniform Environmental Covenants Act; include prevailing wage law provisions for financial assurance for closure; and address "general housekeeping" issues such as clarify definitions, make formatting changes, and ensure that the rules are consistent with WAC 173-350, Solid Waste Handling Standards.

Proponent: Washington Department of Ecology

Location of proposal, including street address, if any: The proposed revised rule applies to all Municipal Solid Waste Landfills (MSWLFs) as defined in WAC 173-351.

Lead agency: Washington Department of Ecology

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

☒ This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below. Comments must be submitted by July 6, 2012.

Responsible official: Laurie Davies

Position/title: Program Manager, Waste 2 Resources Program

Phone: (360) 407-6900

Address: PO Box 47600 Olympia, WA 98504-7600

Date 5/21/2012

Signature

Laurie S. Davies

(OPTIONAL)

- ☐ You may appeal this determination in writing to: Wayne Krafft
at 4601 N. Monroe St. Spokane, WA 99205-1295
Fax: (509) 329-3529
no later than July 6, 2012
(Appeal should be in writing.)

You should be prepared to make specific factual objections.

Contact sepa-help@ecy.wa.gov or (360) 407-6922 to ask about the procedures for SEPA appeals.